

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**


ARNEZ BOYD,	)	
	)	
Petitioner,	)	
v.	)	Civil Action No. 3:13CV177-HEH
	)	
GENE M. JOHNSON,	)	
	)	
Respondent.	)	

**MEMORANDUM OPINION**  
**(Dismissing Action Without Prejudice)**

Petitioner, a Virginia inmate proceeding *pro se*, submitted a motion to this Court requesting that the Court appoint counsel to assist him in preparing and filing a 28 U.S.C. § 2254 petition. By Memorandum Order entered on August 8, 2013, the Court denied Petitioner's Motion for Appointment of Counsel. The Court further informed Petitioner that if he wished to proceed pursuant to 28 U.S.C. § 2254, he must file a petition for a writ of habeas corpus on the proper forms. The Court mailed the standardized forms for filing a § 2254 petition to Petitioner. The Court warned Petitioner that if he failed to return the completed § 2254 forms within twenty (20) days of the date of entry thereof, the Court would dismiss the action without prejudice. *See* Fed. R. Civ. P. 41(b). More than twenty (20) days have elapsed and Petitioner has not returned the completed forms. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall issue.

Date: Sept 23, 2013  
Richmond, Virginia

 \_\_\_\_\_ /s/  
HENRY E. HUDSON  
UNITED STATES DISTRICT JUDGE